

### **REMARKS**

This amendment is responsive to the Office Action of April 17, 2008. Reconsideration and allowance of claims 4, 6, 14-18, 20-22, 24-26, and 29-33 are requested.

#### **The Office Action**

Claims 4, 6, 14-18, 20-22, 24-26, and 29-31 stand rejected under 35 U.S.C. § 103 as being unpatentable over Allport (US 6,104,334) in view of Hoffberg (US 2006/0200253).

#### **The Claims Distinguish Patentably Over the References of Record**

**Claim 6** calls for the soft keys and the graphical representation of the icons on the touch screen of the universal remote to depict the control panel of the dedicated remote corresponding to the specified apparatus. Allport does not disclose or suggest that the display on its PDA type device should in any way depict or emulate the control panel of the dedicated remote corresponding to a specified apparatus. Allport teaches against such a concept by using a display which allows the user to select without regard to the apparatus from which it is to be retrieved. Hoffberg does not cure these shortcomings of Allport. Hoffberg is not directed to a remote control apparatus and makes no suggestion and provides no teaching regarding how a touch screen GUI of a remote control should be configured. Accordingly, it is submitted that claim 6 and claim 4 dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 14 calls for the remote control device to be configured to use the control code representative of the soft key positions and icons for the control keys of a dedicated remote corresponding to the selected apparatus to render a graphical representation on the GUI display panel depicting the control keys of the dedicated remote for the selected apparatus in which the keys for selected commands of the selected apparatus are in the same location as the corresponding keys and icons of the dedicated remote. In this manner, when a user switches between the remote control device and the dedicated remote, the control keys have the same position and function

as the dedicated remote. Allport makes no suggestion of positioning control keys on the display panel **15** such that they are in the same location and have the same function as the dedicated remote. Hoffberg does not address GUI display panels of a remote nor the positioning of keys or icons for a remote control device. Accordingly, it is submitted that Hoffberg does not cure the shortcomings of Allport or motivate others to do so. Accordingly, it is submitted that claim 14 and claims 20 and 21 dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 16 calls for a machine readable memory on which code is stored for rendering a control key layout that emulates a key layout of a dedicated control device for the CE equipment. Column 8, lines 30-50 of Allport referenced by the Examiner suggests that the remote control can perform the functions of other remotes, but does not suggest that the remote render a control key layout that emulates a key layout of the dedicated control device. To the contrary, this section of Allport appears to suggest that the screen layouts are designable or customizable. Thus, Allport neither recognizes the problem which some users encounter when the keys of a dedicated remote for performing given functions are in a different location than the keys of a universal remote for performing the same functions nor suggest a cure for this problem. Hoffberg was not cited as and does not address this problem or suggest a cure. Accordingly, it is submitted that claim 16 distinguishes patentably and unobviously over the references of record.

Claim 17 calls for a method in which instructions are sent for rendering icons and soft buttons which emulate control keys of a remote control for the specified apparatus. Column 4, lines 28-40 referenced by the Examiner indicate that the described remote control has function keys which enable it to browse, select, or otherwise manipulate data related to the control of other consumer devices. But, this section does not suggest that the display of the remote control device emulate the dedicated remote control devices of such other consumer devices. Column 5, lines 50-55 referenced by the Examiner indicates that the remote control is able to gather IR command libraries and the like for controlling other devices, but makes no suggestion of rendering the displayed icons and soft buttons to emulate the control keys of the remote control for the specified apparatus. Hoffberg does not address the

depicting of icons for a remote control device and does not cure this shortcoming of Allport. Accordingly, it is submitted that claim 17 and claims 24, 29, and 32 dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 18 calls for a first set of control codes with rendering instructions for rendering a graphical representation on a GUI touch screen. Allport downloads control codes representing commands over a network. However, Allport does not suggest also downloading a set of control codes with rendering instructions for rendering a graphical representation on the touch screen. Rather, in Allport, it appears that the graphical representation rendered on the touch screen is independent of the equipment to be controlled. Hoffberg does not address rendering representations on GUI touch screens of remotes and fails to either address or cure this shortcoming of Allport. Accordingly, it is submitted that claim 18 and claims 25, 26, and 30 dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 31 calls for the codes which are stored in the database to include a definition of a GUI display panel and soft key locations which, rendered on the GUI display panel, display icons and buttons in the same position and with a common function as a dedicated remote for the controlled apparatus. Contrary to the Examiner's assertion, these concepts are not disclosed at column 8, lines 30-50 of Allport. Rather, this section of Allport calls for the remote to be programmed using an integrated graphical symbol keyboard in which the buttons would show the actual functions they perform. It appears that Allport is calling for the screen layout to be designable at the selection of the user. There is no suggestion that the control codes from the database define a GUI display panel and soft key locations which, when rendered on the GUI display panel, display icons and buttons in the same position and with a common function as a dedicated remote for the controlled apparatus. To the contrary, Allport evidences a desire for the remote control to enable a plurality of different devices invisibly to the user and without reconfiguring the GUI display. Accordingly, it is submitted that claim 31 and claim 22 dependent therefrom distinguish patentably and unobviously over the references of record.

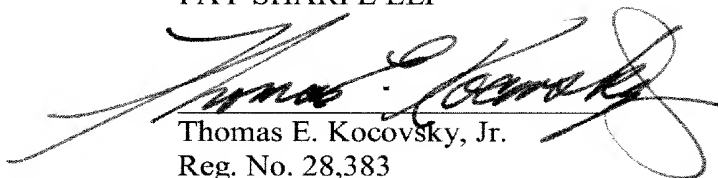
New claim 33 has been added to set forth the inventive concepts more completely.

**CONCLUSION**

For the reasons set forth above, it is submitted that claims 4, 6, 14-18, 20-22, 24-26, and 29-33 distinguish patentably over the references of record. An early allowance of all claims is requested.

Respectfully submitted,

FAY SHARPE LLP

A handwritten signature in black ink, appearing to read "Thomas E. Kocovsky, Jr.", is written over a horizontal line.

Thomas E. Kocovsky, Jr.  
Reg. No. 28,383  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, OH 44114-2579  
(216) 861-5582

Direct All Correspondence to:  
Eric Bram, Reg. No. 37,285  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
(914) 333-9635 (tel)  
(914) 332-0615 (fax)